

### **REMARKS/ARGUMENTS**

In view of the foregoing amendments and following remarks, favorable reconsideration of the pending claims is respectfully requested.

Claims 1, 2, and 4 – 23 are currently pending. Claims 3 and 24 – 25 have been cancelled. As discussed below, Claim 4 has been amended to depend directly on Claim 1.

Claim 4 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for depending on a cancelled claim. As noted above, Claim 4 has been amended to depend directly on Claim 1. Accordingly, it is respectfully submitted that the rejection of Claim 4 under 35 U.S.C. § 112 has been overcome.

Claims 1, 2, 4 – 9, and 14 – 23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2004/0161989 to Dennis in combination with Steeghs. Claims 10 – 13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Dennis, Steeghs, and Brink. Applicants respectfully traverse these rejections.

Dennis is directed to an anti-projectile barrier fabric having a pair of internal foam layers that are sandwiched between, and bonded to, two outer cloth-like fabric layers. The Office Action asserts that the foam layers would partially infiltrate the fabric layers. Applicants respectfully disagree with the reasoning set forth in the Office Action and submit that the Office has failed to establish a *prima facie* case of obviousness.

Dennis fails to disclose or suggest a sandwich panel having a cellular core material that partially infiltrates the outer fabric layers. As discussed at paragraph 0015 of Dennis, the fabric layers 14, 15 are joined to the foam layers 16, 17 with a heat-settable adhesive that is disposed between the fabric and foam layers. As a result, there is an adhesive layer disposed between the foam layers and the outer fabric layers. The adhesive layers provide separation between each respective foam and fabric layer and would prevent the foam layers from infiltrating the fabric layers. Additionally, the use of an adhesive to bond the fabric layers to the foam layers necessarily implies that the fabric layers are applied to previously formed foam layers, and as such, the foam layers do not partially infiltrate the fabric layers. Neither Steeghs nor Brink even include a cellular core and therefore do not provide this element.

Further, the assertion that the foam layers would partially infiltrate the fabric layers is not supported by the teachings of Dennis and is based on pure speculation at best. In fact, the

assertion is contrary to the specific teachings of Dennis because of the presence of the adhesive layers between the foam and fabric layers. The Office has failed to provide any factual basis that supports the assertion that the foam layers partially infiltrate the fabric layers. In order to establish a *prima facie* case of obviousness, the combination of references must disclose or suggest each and every element. In the present case, the Office has failed to establish that the combination of references disclose or suggest an insulation having a cellular core that at least partially infiltrates the fabric layers. Accordingly, independent Claims 1, 16, and 23 and any claims dependent thereon are patentable over the cited references, whether considered individually or in combination, because the references fail to disclose or suggest an insulation having a cellular core that at least partially infiltrates the fabric layers.

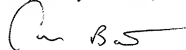
In view of the foregoing amendment and remarks, it is respectfully submitted that the rejections under 35 U.S.C. § 103(a) and 112 have been overcome, and that the pending claims are in condition for immediate allowance.

#### **Conclusion**

In view of the amendments and remarks made above, Applicant submits that the pending claims are now in condition for allowance. Applicant respectfully requests that the claims be allowed to issue. If the Examiner wishes to discuss the application or the comments herein, the Examiner is urged to contact the undersigned by telephone.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Timothy J. Balts  
Registration No. 51,429

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**Customer No. 00826**

**ALSTON & BIRD LLP**

Bank of America Plaza

101 South Tryon Street, Suite 4000

Charlotte, NC 28280-4000

Tel Charlotte Office (704) 444-1000

Fax Charlotte Office (704) 444-1111

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